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2
3 UNITED STATES DISTRICT COURT

4 DISTRICT OF NEVADA

5 MATTHEW TRAVIS HOUSTON,

Case No. 2:19-cv-01740-APG-BNW

6 Petitioner,

ORDER

7 v.

8 JERRY HOWELL, et al.,

9 Respondents.
10

11 Petitioner Matthew Travis Houston moves to reopen this case and requests the production
12 of documents. ECF Nos. 27, 28. Houston appears to argue that this matter should be reopened
13 because he has a “related” case in the Eighth Judicial District Court—case number A-17-
14 758861-C—that has been removed which should be consolidated with the instant case. ECF No.
15 27. Houston also seeks a copy of every document filed in this matter. *Id.*

16 First, regarding reopening, the exhibits Houston includes with his motion relate to
17 different Eighth Judicial District Court cases (case numbers A-22-858580-C and A-22-856372-
18 C) than the one referenced in his motion (case number A-17-758861-C). ECF No. 27 at 4, 15.
19 These cases are apparently personal injury actions Houston has filed, and the nature of case
20 number A-17-758861-C is unclear. As such, there is no basis to reopen this closed habeas matter
21 that was denied on the merits on December 12, 2019. ECF No. 14.

22 Second, regarding the request for copies, Houston filed similar requests for copies on
23 June 27, 2022, August 19, 2022, and September 19, 2022. ECF Nos. 19, 22, 24. I granted two of

1 those motions, providing courtesy copies of docket entries to Houston. ECF Nos. 20, 23.

2 Moreover, generally, an inmate has no constitutional right to free photocopying or to obtain court
3 documents without payment. *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991). Federal
4 courts do not allow prisoners or any other litigants to accrue copy fees; rather, payment for copy
5 fees is required at the time a request is made. LR IC 1-1(i)(5) (paper copies of filed documents
6 may be obtained from the clerk's office after payment of copying fees). Nothing in federal law,
7 the Federal Rules of Civil Procedure, the Local Rules of Practice, or case law authorizes federal
8 courts to waive or finance copy fees in closed habeas cases. LSR 1-6 (stating that *in forma*
9 *pauperis* status does not waive a party's "responsibility to pay the expenses of litigation that are
10 not covered by 28 U.S.C. § 1915," which does not provide for copies). As such, I deny
11 Houston's motion.

12 Further, this action has been, and remains, closed. I will direct the Clerk of Court to
13 designate Houston as a restricted filer in this matter and to not accept any further filings in this
14 closed action other than a notice of appeal from this order.

15 I THEREFORE ORDER that the Petitioner's motion to reopen case [ECF No. 27] and
16 motion for production of documents [ECF No. 28] are denied.

17 I FURTHER ORDER the Clerk of Court to designate petitioner Matthew Travis Houston
18 as a restricted filer in this matter and to return unfiled any further papers submitted by Houston
19 in this matter other than a notice of appeal from this order.

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1 I FURTHER ORDER that, to the extent required, a certificate of appealability is denied,
2 as jurists of reason would not find my disposition of Petitioner's filings to be debatable or
3 incorrect.

4 Dated: November 4, 2022.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE